

application filed on or after such date. The amendment made by subparagraph (F) shall take effect on the first day of the fiscal year following the fiscal year in which the backlog of employment-based immigrant visa petitions existing as of the effective date established in section 502(d) of this Act

On page 260, line 39, strike “and”.

On page 260, after line 44, insert the following:

(iii) up to 10,000 shall be for aliens who met the specifications set forth in section 203(b)(1) (as of January 1, 2007); and

(iv) the remaining visas be allocated as follows:

(I) In fiscal year 2008 and 2009, 115,401 shall be for aliens who are the beneficiaries of a petition filed by an employer on their behalf under this section.

(II) In fiscal year 2010, 86,934 shall be for aliens who are the beneficiaries of a petition filed by an employer on their behalf under this section.

(III) In fiscal year 2011, 58,467 shall be for aliens who are the beneficiaries of a petition filed by an employer on their behalf under this section.

(IV) In fiscal year 2012, 44,234 shall be for aliens who are the beneficiaries of a petition filed by an employer on their behalf under this section.

On page 265, between lines 15 and 16, insert the following:

“(G) Any employer desiring and intending to employ within the United States an alien qualified under (A) may file a petition with the Secretary of Homeland Security for such classification.

“(H) The Secretary of Homeland Security shall collect applications and petitions by July 1 of each fiscal year and will adjudicate from the pool of applicants received for that fiscal year, from the highest to the lowest, the determined number of points necessary for the fiscal year. If the number of applications and petitions submitted that meet the merit based threshold is insufficient for the number of visas available that year, the Secretary is authorized to continue accepting applications and petitions at a date determined by the Secretary to adjudicate the applications and petitions under this section.”.

On page 266, line 4, insert “The beneficiary (as classified for this subparagraph as a non-immigrant described in section 101(a)(15)(H)(i)(b)) of such a pending or approved petition, and any dependent accompanying or following to join such beneficiary, may file an application for adjustment of status under section 245(a) of the Immigration and Nationality Act (8 U.S.C. 1255) regardless of whether an immigrant visa is immediately available at the time the application is filed. Such application for adjustment of status shall not be approved until an immigrant visa becomes available.” after “visa.”.

On page 242, between lines 39 and 40, insert the following:

(e) DOCUMENTATION REQUIREMENT.—Section 212(n)(1) (8 U.S.C. 1182(n)), as amended by this section, is further amended—

(1) in subparagraph (A), by adding at the end the following:

“(iii) will provide to the H-1B non-immigrant—

“(I) a copy of each application filed on behalf of the nonimmigrant under this section; and

“(II) documentation supporting each attestation, in accordance with regulations promulgated by the Secretary of Labor.”; and

(2) by adding at the end the following:

“(L) An H-1B nonimmigrant may not be stationed at the worksite of an employer other than the petitioning employer or its affiliate, subsidiary, or parent if the alien will be controlled and supervised principally

by such unaffiliated employer or if the placement of the alien at the worksite of the affiliated employer is essentially an arrangement to provide labor for hire for the unaffiliated employer, rather than a placement in connection with the provision of a product or service.”.

(f) FRAUD ASSESSMENT.—Not later than 60 days after the date of the enactment of the Act, the Director of United States Citizenship and Immigration Services shall submit to Congress a fraud risk assessment of the H-1B visa program.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 7, 2007, at 9:30 a.m., in open session to consider the nomination of Lieutenant General Douglas E. Lute, USA, to be assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, June 7, 2007, at 2 p.m., in room 253 of the Russell Senate Office Building.

The hearing will serve as an investigation of NASA Inspector General, Robert W. Cobb.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, June 7, 2007 at 10 a.m. in Room 406 of the Dirksen Senate Office Building to conduct a hearing entitled “An Examination of the Views of Religious Organizations Regarding Global Warming.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, June 7, 2007, at 10 a.m. in Dirksen Room 226.

Agenda

I. Bills: S. 185, Habeas Corpus Restoration Act of 2007 (Specter, Leahy, Feinstein, Feingold, Whitehouse, Durbin, Biden); S. 720, Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007 (Levin); H.R. 692, Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007; S. 535, Emmett Till Unsolved Civil Rights Crime Act (Dodd, Leahy, Schumer, Kennedy); S.456, Gang Abatement and Prevention Act of 2007 (Feinstein,

Hatch, Schumer, Specter, Biden, Kyl, Cornyn, Kohl).

II. Nominations: Leslie Southwick to be United States Circuit Judge for the Fifth Circuit; Robert James Jonker to be a United States District Judge for the Western District of Michigan.

III. Resolutions: S. Res. 171, Memorializing fallen firefighters by lowering the U.S. flag (Collins, Biden, Kennedy); S. Res. 82, Designating August 16, 2007 as National Airborne Day (Hagel, Graham, Sessions, Feinstein, Feingold); S. Res. 173, Designating August 11, 2007 as National Marina Day (Stabenow).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing entitled “Prevention of Deceptive Practices and Voter Intimidation in Federal Elections: S. 453” on Thursday, June 7, 2007 at 2 p.m. in Dirksen Senate Office Building Room 226.

Witness list

Panel I: The Honorable Charles Schumer, United States Senator [D-NY]; The Honorable Barack Obama, United States Senator [D-IL].

Panel II: The Honorable Douglas F. Gansler, Attorney General, State of Maryland, Baltimore, MD; The Honorable Jack B. Johnson, County Executive, Prince George's County, MD, Upper Marlboro, MD.

Panel III: Hilary O. Shelton, Director, Washington Bureau, National Association for the Advancement of Colored People [NAACP], Washington, DC; John Trasviña, President and General Counsel, Mexican American Legal Defense and Education Fund [MALDEF], Los Angeles, CA; Richard Briffault, Joseph P. Chamberlain Professor of Legislation, Columbia Law School, New York, NY.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 7, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. DODD. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, June 7, 2007 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building. The purpose of this hearing is to receive testimony on Alternate Energy-Related Uses on the Outer Continental Shelf: Opportunities, Issues and Implementation of Section 388 of the Energy Policy Act of 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Government Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Thursday, June 7, 2007 at 2:30 p.m. to conduct a hearing entitled, DHS' Acquisition Organization: Who is Really in Charge?

The PRESIDING OFFICER. Without objection it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Madam President, I ask unanimous consent that Katherine Chen and Alec Bonander of my staff be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE JOHNS HOPKINS UNIVERSITY BLUE JAYS

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 227 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 227) congratulating the Johns Hopkins University Blue Jays for winning the 2007 NCAA Division I Men's Lacrosse Championship.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 227

Whereas, on May 28, 2007, before a crowd of nearly 50,000, the Johns Hopkins University Blue Jays of Baltimore, Maryland, won the 2007 National Collegiate Athletic Association (NCAA) Division I Men's Lacrosse Championship, defeating the Duke University Blue Devils by a score of 12-11 at M&T Bank Stadium in Baltimore, Maryland;

Whereas the Johns Hopkins University Blue Jays, in the 2007 season, had an overall record of 13 wins and 4 losses, and won their last 9 consecutive games to end the season;

Whereas the Johns Hopkins University Blue Jays have won their 9th NCAA Division I Men's Lacrosse Championship;

Whereas the Johns Hopkins University Blue Jays reached the championship game for the 2nd time in 3 years and for the 17th time in school history;

Whereas Jesse Schwartzman was awarded the Tournament Most Outstanding Player award for the 2nd time;

Whereas Jake Byrne, Paul Rabil, Stephen Peyser, and Eric Zerlaut joined Schwartzman on the All-Tournament Team;

Whereas the 2007 NCAA Championship lacrosse team members are Jamison Koesterer, Jesse Schwartzman, Andrew Miller, Garrett Stanwick, Michael Gvozden, Matt Bocklet, Ben O'Neill, Paul Rabil, Steven Boyle, George Castle, Stephen Peyser, Josh Peck, Michael Doneger, Michael Kimmel, Eric Zerlaut, Drew Dabrowski, Austin Walker, Brian Christopher, Conor Cassidy, Brendan Skakandi, Nolan Matthews, Kevin Huntley, Jake Byrne, Mark Bryan, Tom Duerr, Chris Boland, Nick Donoghue, Dave Spaulding, Will Jawish, Val Washington, Michael Evans, Zach Tedeschi, Erik Stille, Andrew Jaffe, Andrew Posil, John Franklin, Lorenzo Heholt, Kyle Miller, Max Chautin, Michael Powers, Matt Drenan, Sam DeVore, Nathan Matthews, Greg Harrington, Eric Dang, Max Levine, and Michael Murray; and

Whereas the 2007 NCAA Championship lacrosse team coaches are Dave Pietramala, Bill Dwan, Bobby Benson, and Dave Allan: Now, therefore, be it

Resolved, That the Senate congratulates the Johns Hopkins University men's lacrosse team for winning the 2007 NCAA Division I Men's Lacrosse Championship.

CONGRATULATING THE BROWN UNIVERSITY WOMEN'S CREW TEAM

Mr. DURBIN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 228, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 228) congratulating the Brown University women's crew team for winning the 2007 NCAA Division I Women's Rowing Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 228) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 228

Whereas, on Sunday, May 27, 2007, the Brown University women's crew team won the 2007 National Collegiate Athletic Association (NCAA) Division I Women's Rowing Championship in Oak Ridge, Tennessee;

Whereas the Brown University women's crew team was 1 of only 2 teams that qualified for the grand final in varsity eights, junior varsity eights, and varsity fours;

Whereas the Brown University women's crew team has won 5 NCAA championships in the last 9 years, in 1999, 2000, 2002, 2004, and 2007, as well as finishing 2nd twice and 3rd twice during that period;

Whereas the Brown University women's crew team is the winningest crew program in NCAA history; and

Whereas the Brown University varsity women's crew team had a record of 5-1 during the regular season, and both the 2nd varsity and novice teams were undefeated for the season: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Brown University women's crew team for being champions on and off the water and for their victory in the 2007 National Collegiate Athletic Association (NCAA) Division I Women's Rowing Championship;

(2) recognizes the achievements of the rowers, coaches John and Phoebe Murphy, and the students and alumni whose dedication and hard work helped the Brown University women's crew team win the NCAA championship; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution for appropriate display to Artemis Joukowsky, Chancellor Emeritus of Brown University.

HONORING WILLIAM CLIFTON FRANCE

Mr. DURBIN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 229, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 229) honoring William Clifton France.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 229) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 229

Whereas William Clifton France, NASCAR patriarch and visionary, was born on April 4, 1933, in Washington, D.C.;

Whereas Mr. France grew up in the formative years of stock car racing, living and learning every detail of the sport from his own experiences and those of his father, William Henry Getty France, known as "Big Bill" because of his 6-foot-5 stature, who was the founder and first president of NASCAR;

Whereas, in 1972, William Clifton France replaced his father and became the second president of the world's largest auto-racing sanctioning body;

Whereas, during the 28-year tenure of Mr. France as president, and later chairman and chief executive officer, of NASCAR, NASCAR grew from a sport with regional appeal to draw more than 75,000,000 fans yearly and become the second-most popular sport on television in the United States;

Whereas Mr. France worked in every role in stock car racing, from flagging events to scoring, promoting, serving as a steward, and even racing a few times in the 1950s;

Whereas, before being named president of NASCAR, Mr. France served for 6 years as vice president of the organization;

Whereas, in addition to his NASCAR duties, Mr. France served as chairman of the